

REMARKS

By this Response, claims 21, 34, 35, 36, 38 and 39 have been amended. No claims have been added. Claims 24, 25 and 37 have been canceled without prejudice or disclaimer to the subject matter contained therein. Claims 21-23, 26-36, and 38-40 are pending.

At the outset, the Examiner's indication of allowable subject matter in claims 31, 32, and 37 is gratefully acknowledged. However, it is believed that the claims as presented herein distinguish over the applied reference for reasons more fully explained below. Accordingly, incorporation of the indicated allowable subject matter into independent claims has not been presented at this time.

Objection to the Drawings

In the Office Action, the Examiner objected to the drawings under 37 C.R.F. § 1.83(a) as failing to show every feature of the invention specified in the claims.

The Examiner has specifically requested illustration of the drive means, the drive element, the inner skin, and the control lever projecting through the outer skin of the vehicle body, or the features canceled from the claims.

In response, it is respectfully submitted that the drive element appears as lever 24 as described at page 6, line 19 of the original application. The remaining features have been addressed by way of claim amendments. Accordingly, no correction to the drawings is required and withdrawal of the objection under 37 C.F.R. § 1.83(a) is respectfully requested.

Rejection of Claims 21-23, 26-30, 33-35 and 38-40 under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected claims 21-23, 26-30, 33-35 and 38-40 under 35 U.S.C. 102(b) as being anticipated by *DeRees et al.* (U.S. Patent No. 5,398,988). This rejection is respectfully traversed.

The subject matter of claim 21 is directed to a door mounted on a structure for displacement between an open position and a closed position with respect to a door aperture in the structure. The door is connected to the structure by a first guide means, which constrains the leading edge of the door, with respect to movement towards the open position, to execute an arcuate movement about an axis which is fixed to the structure, and by second guide means, which constrains a trailing edge of the door to execute a linear movement substantially parallel to the plane of the door aperture such that the trailing edge of the door remains substantially in the plane of the door aperture. As explained in the original specification at page 5, lines 29-30 and page 6, lines 1-3, by the trailing edge 10 of the door remaining substantially in the plane of the door aperture 4, the oblique position of the doors when open provides a funneling effect to direct passengers into the vehicle.

It is the Examiner's position that *DeRees et al.* disclose a door (14) mounted on a structure for displacement between an open position and a closed position with respect to a door aperture in the structure, the door being connected to the structure by first guide means (34), which constrains a leading edge of the door, with respect to movement towards the open position, to execute an arcuate movement about an axis which is fixed to the structure, and by second guide means (40), which constrains a

trailing edge of the door to execute a linear movement substantially parallel to the plane of the door aperture.

It is respectfully submitted that *DeRees et al.* fail to disclose that the trailing edge of the door remains substantially in the plane of the door aperture. Instead, from Figure 6 of *DeRees et al.*, it can be seen that the trailing edge of door 14 is clearly outside the plane of the door aperture. Further, there is no disclosure of *DeRees et al.* which would suggest otherwise.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 21-23, 26-30, 33-35 and 38-40 under 35 U.S.C. § 102(b). Applicants respectfully submit that claims 22, 23, 26-30, 33-35 and 38-40 are in condition for allowance, at least by virtue of their dependency from allowable claim 21. In addition, however, at least some of those claims contain unique combinations and/or recitations that are neither taught nor suggested by the references cited in the Office Action and therefore at least some of those dependent claims also are separately patentable.

Rejection of Claims 24, 25, and 36 Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected claims 24, 25, and 36 under 35 U.S.C. § 103(a) as being unpatentable over *DeRees et al.* (U.S. Patent No. 5,398,988). This rejection is respectfully traversed.

It is the Examiner's position that *DeRees et al.* disclose all of the limitations of the claims, as applied above, except for drive means for pivoting the door control lever relative to the structure, the drive means acting on a drive element which is rigidly

connected to the door control lever. The Examiner takes Official Notice that the use of drive means and drive elements for acting on control levers is old and well known in the art.

It is respectfully submitted that the subject matter of remaining dependent claim 36 depends from arguably allowable claim 21, and should therefore, also be considered allowable.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 24, 25, and 36 under 35 U.S.C. § 103(a).

The Office Action contains various assertions, conclusions, and/or characterizations regarding Applicants' claims and the teachings of the cited references. Unless specifically noted otherwise herein, Applicants decline to subscribe to any such assertions, conclusions, and/or characterizations.

**CONCLUSION**

In view of the foregoing remarks, Applicants submit that this claimed invention is neither anticipated nor rendered obvious in view of the prior art references applied against this application. Applicants therefore request the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 50-2961.

Respectfully submitted,

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